

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. H-02-577-16
	§	
TINH THANH HOANG	§	

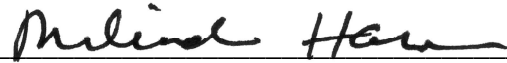
**MEMORANDUM AND ORDER**

Before the Court in this federal habeas corpus proceeding pursuant to 28 U.S.C. § 2255 are Movant Tinh Thanh Hoang's Amended § 2255 Motion to Vacate, Set Aside or Correct Sentence (Doc. 1598); the United States' Response and Motion to Dismiss Movant's Amended § 2255 Motion (Docs. 1599 & 1600), Movant's Response to the United States' Motion to Dismiss Amended § 2255 Motion and Motion for Evidentiary Hearing (Doc. 1603), the Magistrate Judge's Memorandum and Recommendation Denying Movant's Amended § 2255 Motion to Vacate, Correct Sentence and Granting the United States' Motion to Dismiss (Doc. 1600), and Movant's Response and Objections to the Magistrate Judge's Memorandum and Recommendation. (Doc. 1613.)

Hoang raises four objections to the Magistrate Judge's Memorandum and Recommendation. Each objection is a restatement of an argument that Hoang raised before the Magistrate Judge. Because the Court agrees with the Magistrate Judge's Memorandum and Recommendation as to each of Hoang's arguments, the Court hereby

**OVERRULES** Movant's Objections to the Magistrate Judge's Memorandum and Recommendation, **ADOPTS** the Magistrate Judge's Memorandum and Recommendation in full, **DENIES** Hoang's Amended Motion to Vacate, Set Aside, or Correct Sentence, and **GRANTS** the Government's Motion to Dismiss.

SIGNED at Houston, Texas, this 26th day of September, 2011.

A handwritten signature in black ink, appearing to read "Melinda Harmon", is written over a horizontal line.

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE